

COMMUNICATION ADDRESSING DEFICIENCIES IN AN OFFICE ACTION			Docket No. OCT020USPT01
Serial No. 10/781,266	Filing Date February 18, 2004	Examiner Stephen R. Crow	Group Art Unit 3764
Applicant:	Porth		
Invention:	EXERCISE EQUIPMENT WITH AUTOMATIC ADJUSTMENT OF STRIDE LENGTH AND/OR STRIDE HEIGHT BASED UPON SPEED OF FOOT SUPPORT		

Mail Stop Amendment

Commissioner of Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

This communication is in response to the Office Action dated May 2, 2007 to which a response is due on or before August 2, 2007.

Applicant respectfully submits that the objections, rejections and indications of allowable subject matter set forth in the Office Action do not match with the pending claims.

The Office Action correctly confirms the withdrawal of claims 5-7, 9, 11, 13, 15, 18, 19, 21, 26-29, 32, 34, 36, 38, 41, 42, 44, 49-52, 55-62, 64, 65 and 67 as directed to nonelected species in the absence of an allowed generic claim. Hence, claims 1-4, 8, 10, 12, 14, 16, 17, 20, 22-25, 30, 31, 33, 35, 37, 39, 40, 43, 45-48, 53, 54, 63 and 66 remain pending in the application.

However, the Office Action goes on to reject withdrawn claims 5, 6, 15, 18, 34, 38, 41, 57, 58, 61, 62 and 64 as anticipated, and fails to address the patentability of pending claims 8, 10, 12, 14, 16, 30, 31, 33, 35, 37, 39, 53 and 54.

Applicant respectfully requests that the Examiner prepare and mail a replacement Office

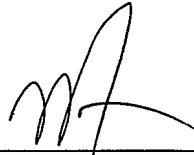
Action correcting this incongruity and restarting the period for response.

Respectfully submitted,

Date

30 May 07

By



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